

DEPARTMENT OF THE CORPORATION COUNSEL 205

BRIAN T. MOTO 5421  
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S:\ALL\MMR\CIV\Kaapuni\no op to mtn Ross withdrawal.wpd

Attorneys for Defendants

CARLTON HELM, CHRISTINA HALL, KELLY PAUOLE, JAMIE WINFREY,  
HAROLD MANAOIS, KAENA BROWN AND COUNTY OF MAUI

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

BARBARA KALANIKIEKIE KAAPUNI;	)	CIVIL NO. CV 04-00449 SOM LEK
JON HANS KAAPUNI, SR., PAMELA	)	(Non-Motor Vehicle Tort)
NOHOLANI KAAPUNI, JON HANS	)	
KAAPUNI, JR., FALLON	)	
KALANIKIEKIE KAAPUNI, and TYRAH	)	DEFENDANTS' STATEMENT OF NO
NOHOLANI KAAPUNI by her best	)	OPPOSITION AND NONAPPEARANCE
friend JON HANS KAAPUNI, SR.,	)	RE: PLAINTIFFS' MOTION TO
	)	WITHDRAW AS COUNSEL;
Plaintiffs,	)	CERTIFICATE OF SERVICE
	)	
vs.	)	
	)	
CARLTON HELM, in his individual	)	
capacity; STAG SAGARIO, in his	)	
individual capacity, CHRISTINA	)	
WILLIAMS, in her individual	)	
capacity, KELLY ARLOS, in his	)	
individual capacity, JAMIE	)	
WINFREY, in her individual	)	
capacity, HAROLD MANAOIS, in his	)	
individual capacity, KEANA	)	
BROWN, in her individual	)	
capacity, and the COUNTY OF	)	
MAUI,	)	
Defendants.	)	
	)	

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**DEFENDANTS' STATEMENT OF NO OPPOSITION AND**

**NONAPPEARANCE RE: PLAINTIFFS' MOTION TO WITHDRAW AS COUNSEL**

Defendants CARLTON HELM, CHRISTINA WILLIAMS, KELLY PAUOLE, JAMIE WINFREY, HAROLD MANAOIS, KAENA BROWN, AND COUNTY OF MAUI ("Defendants"), by and through their attorneys, Brian T. Moto, Corporation Counsel, and Moana M. Lutey, Deputy Corporation Counsel, hereby state that they take no position in Plaintiffs' Motion to Withdraw as Counsel. County further states that they will not participate at the hearing on the said Motion.

DATED: Wailuku, Maui, Hawaii, July 17, 2006.

BRIAN T. MOTO  
Corporation Counsel  
Attorney for Defendant  
CARLTON HELM, CHRISTINA HALL,  
KELLY PAUOLE, JAMIE WINFREY,  
HAROLD MANAOIS, KAENA BROWN  
AND COUNTY OF MAUI

By /s/ Moana M. Lutey  
MOANA. M. LUTEY  
Deputy Corporation Counsel

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

BARBARA KALANIKIEKIE KAAPUNI, et)	CIVIL NO. CV 04-00449 SOM LEK
al.,	(Non-Motor Vehicle Tort)
)	
Plaintiffs,	CERTIFICATE OF SERVICE
vs.	
)	
CARLTON HELM, et al.,	
)	
Defendants.	
)	
)	
)	

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing document was duly served on July 17, 2006, upon the following parties:

	<u>Fax/Email</u>	<u>U.S. Mail</u>
Arthur E. Ross, Esq. 126 Queen Street, Suite 210 Honolulu, Hawaii 96813	XX	

Rory Soares Toomey, Esq. 1088 Bishop Street, Suite 1004 Honolulu, Hawaii 96813 (Attorneys for Plaintiffs)	XX
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DATED: Wailuku, Maui, Hawaii, June 17, 2006.

BRIAN T. MOTO  
Corporation Counsel  
Attorney for Defendants  
CARLTON HELM, CHRISTINA HALL,  
KELLY PAUOLE, JAMIE WINFREY,  
HAROLD MANAOIS, KAENA BROWN AND  
COUNTY OF MAUI

By /s/ Moana M. Lutey  
MOANA M. LUTEY  
Deputy Corporation Counsel